

Application No. 10/036,840  
Amendment dated November 9, 2006  
Reply to Office Action of August 9, 2006

### **REMARKS/ARGUMENTS**

Responsive to the Official Action mailed August 9, 2006, applicant has revised the claims of her application in an earnest effort to place this case in condition for allowance. Specifically, independent claim 1 has been amended, and new claims 12 and 13 added. Reconsideration is respectfully requested.

Amendments to claim 1 are supported in the instant specification at, e.g., page 6, lines 14-16. New claim 12 is supported, e.g., by the claims as originally filed.

The present invention is directed to the control of odors created by the decomposition of human waste in a personal hygiene product. Control of the decomposition process is by the pre-application of an odor control compound comprising an admixture of hydroxydiphenyl ether and an aliphatic acid carrier, as a *topically applied coating in aqueous form at a surface of a base substrate material* of the personal hygiene product. By employing the hydroxydiphenyl ether/aliphatic acid carrier admixture as a coating on a surface of a personal hygiene product, the production of ammonia via urine decomposition is significantly curtailed. The presence of the hydroxydiphenyl ether in a modified acidic carrier further improves the bacteriostatic performance of the ether as well as introducing a pH shift of the admixture to a range between approximately 3.0 - 5.0 that disfavors the further release of ammonia by inducing protonation of the ammonia into a nonvolatile ammonium ion. The working examples described in the present specification demonstrate these benefits and advantages of the present invention.

The most recent Office Action rejects claims 1, 3, 4, 7, 8 and 11 under 35 U.S.C. §102(a) as anticipated by Nakamura WO 99/38541, while claims 9 and 10 have been rejected

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as being obvious over Nakamura, and claim 6 as being obvious over Nakamura in view of Jahnke et al. (U.S. Patent No. 5,178,786). These rejections are respectfully traversed.

Nakamura fails to disclose an odor control absorbent article that contains an odor control compound that specifically combines an admixture of a hydroxydiphenyl ether and an aliphatic acid carrier to shift the pH as presently claimed.

Nakamura discloses water-insoluble hydrogel-forming absorbent polymers (HFAP) that have a antimicrobial applied onto surfaces of the HFAP particles (see, e.g., page 6, lines 31-34; page 7, line 18; page 15, lines 21-34). Nakamura does not topically *coat* the surface of an article with his A-HFAPs in aqueous form. Instead, Nakamura encases the water-insoluble A-HFAPs as an absorbent core between separate layers of an article (e.g., see, col. 18, lines 11-18). Nakamura grinds the dried A-HFAPs into granules which are sprinkled with wood pulp fibers to provide an absorbent core (Examples 2-3).

The separate rejections of claims 6, 9 and 10 as being obvious over Nakamura alone or in combination with Jahnke et al. also are deficient because Nakamura does not disclose or suggest the present invention for reasons explained above, and the Jahnke et al. reference fails to compensate for the differences.

Applicant points-out that Jahnke et al. describe *corrosion-inhibiting* compositions for aqueous hydraulic fluids, such as used in mining environments, and not for odor control absorbent articles (e.g., col. 1, lines 6-38). Jahnke et al. fail to suggest combining hexanedioic acid with hydroxydiphenyl ether in particular for any purpose, much less in an odor control absorbent article.


In view of at least the above, these rejections are improper and should be withdrawn.

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In view of the foregoing, formal allowance of claims 1, 3, 4, and 6-13 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicant's attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fee which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By   
Stephen D. Geimer, Reg. No. 28,846

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
500 West Madison Street, Suite 3800  
Chicago, Illinois 60661-2511  
312/876-1800

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **November 9, 2006**.

